IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1413 OF 2005
IN
CIVIL APPLICATION NO. 872 OF 2005
IN
WRIT PETITION NO. 3401 OF 2002

M/s. Premier Rubber Products
& Cable Industries .. Applicant
(Org.Petitioner)

Vs.

1. Parshuram Laxman Bhise
and ors. .. Respondents

Mr. K.P. Anilkumar with Mr. P.C. Pavaskar for Applicant.

**CORAM: B.H. MARLAPALLE, J.**

**Date : July 01, 2005.**

**P.C.:**

1. Writ Petition No.3401 of 2002 was dismissed in default and, therefore, Civil Application No.872 of 2005 has been filed for restoration of the said writ petition. However, there is a delay in filing restoration application and hence this application for condonation of the same.

2. As per the office note the delay caused is of

one year and 352 days. The delay has been sought to be explained in paras 1 and 2 of this application and it is submitted that due to the inadvertence attributable to the advocate's clerk the delay was caused in filing application for restoration of the writ petition.

3. Hence, heard the learned counsel for the applicant and perused the application. In my opinion, the delay deserves to be condoned by levying exemplary costs.

4. Hence, the application is allowed in terms of prayer clause (a) subject to payment of cost quantified at Rs.2000/-. Cost to be remitted to the Maharashtra State Legal Services Authority within a period of two weeks. Civil Application No.872 of 2005 be listed for hearing on 21/7/2005.

**(B.H. Marlapalle,J.)**